

10/01/2020

## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

## PLAINTIFFS

ABBEY HOTEL ACQUISITION, LLC, SETAI HOTEL ACQUISITION, LLC,  
SETAI RESORT AND RESIDENCE CONDOMINIUM ASSOCIATION, INC,  
and SETAI VALET SERVICES, LLC

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)  
Dennis T. D'Antonio, Weg & Myers, PC.

Federal Plaza, 52 Duane Street, 2nd Floor, New York, NY 10007  
(212) 227-4210

## DEFENDANTS

NATIONAL SURETY CORPORATION

ATTORNEYS (IF KNOWN)

Michael D. Hynes, DLA PIPER LLP (US)

1251 Avenue of the Americas, 27th Floor, New York, NY 10020  
(212) 335-4942

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)  
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Diversity- 28 USC 1332

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No  Yes  Judge Previously Assigned

If yes, was this case Vol.  Invol.  Dismissed. No  Yes  If yes, give date \_\_\_\_\_ & Case No. \_\_\_\_\_

Is THIS AN INTERNATIONAL ARBITRATION CASE?

No  Yes

(PLACE AN [x] IN ONE BOX ONLY)

## NATURE OF SUIT

		TORTS	ACTIONS UNDER STATUTES			
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
[x] 110 INSURANCE	[ ] 310 AIRPLANE	[ ] 367 HEALTHCARE/PHARMACEUTICAL PERSONAL	[ ] 625 DRUG RELATED	[ ] 422 APPEAL	[ ] 375 FALSE CLAIMS	
[ ] 120 MARINE	[ ] 315 AIRPLANE PRODUCT	INJURY/PRODUCT LIABILITY	SEIZURE OF PROPERTY	28 USC 158	[ ] 376 QUI TAM	
[ ] 130 MILLER ACT	LIABILITY	[ ] 365 PERSONAL INJURY	21 USC 881	[ ] 423 WITHDRAWAL	[ ] 400 STATE	
[ ] 140 NEGOTIABLE INSTRUMENT	[ ] 320 ASSAULT, LIBEL & SLANDER	PRODUCT LIABILITY	[ ] 690 OTHER	28 USC 157	REAPPORTIONMENT	
[ ] 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT	[ ] 330 FEDERAL EMPLOYERS' LIABILITY	INJURY PRODUCT LIABILITY	PROPERTY RIGHTS		[ ] 410 ANTITRUST	
[ ] 151 MEDICARE ACT	[ ] 340 MARINE	PERSONAL PROPERTY	[ ] 820 COPYRIGHTS	[ ] 880 DEFEND TRADE SECRETS ACT	[ ] 430 BANKS & BANKING	
[ ] 152 RECOVERY OF DEFECTUALTED STUDENT LOANS (EXCL VETERANS)	[ ] 345 MARINE PRODUCT LIABILITY	[ ] 370 OTHER FRAUD	[ ] 830 PATENT	[ ] 835 PATENT-ABBREVIATED NEW DRUG APPLICATION	[ ] 450 COMMERCE	
[ ] 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS	[ ] 350 MOTOR VEHICLE	[ ] 371 TRUTH IN LENDING	[ ] 840 TRADEMARK	SOCIAL SECURITY		
[ ] 160 STOCKHOLDERS SUITS	[ ] 355 MOTOR VEHICLE PRODUCT LIABILITY	PERSONAL PROPERTY		[ ] 861 HIA (1395ff)	[ ] 460 DEPORTATION	
[ ] 190 OTHER CONTRACT	[ ] 360 OTHER PERSONAL INJURY	[ ] 380 OTHER PERSONAL PROPERTY DAMAGE	LABOR	[ ] 862 BLACK LUNG (923)	[ ] 470 RACKETEER INFLUENCED & CORRUPT ORGANIZATION ACT (RICO)	
[ ] 195 CONTRACT PRODUCT LIABILITY	[ ] 362 PERSONAL INJURY - MED MALPRACTICE	[ ] 385 PROPERTY DAMAGE	[ ] 710 FAIR LABOR STANDARDS ACT	[ ] 863 DIWC/DIWV (405(g))	[ ] 480 CONSUMER CREDIT	
[ ] 196 FRANCHISE	ACTIONS UNDER STATUTES	PRODUCT LIABILITY	[ ] 720 LABOR/MGMT RELATIONS	[ ] 864 SSID TITLE XVI	[ ] 485 TELEPHONE CONSUMER PROTECTION ACT	
REAL PROPERTY		PRISONER PETITIONS	[ ] 740 RAILWAY LABOR ACT	[ ] 865 RSI (405(g))	CABLE/SATELLITE TV	
[ ] 210 LAND CONDEMNATION	[ ] 441 VOTING	[ ] 463 ALIEN DETAINEE	[ ] 751 FAMILY MEDICAL LEAVE ACT (FMLA)	SECURITIES/COMMODITIES/EXCHANGE		
[ ] 220 FORECLOSURE	[ ] 442 EMPLOYMENT	[ ] 510 MOTIONS TO VACATE SENTENCE	[ ] 790 OTHER LABOR LITIGATION	[ ] 870 TAXES (U.S. Plaintiff or Defendant)	[ ] 890 OTHER STATUTORY ACTIONS	
[ ] 230 RENT LEASE & EJECTMENT	[ ] 443 HOUSING/ACCOMMODATIONS	28 USC 2255	[ ] 791 EMPL RET INC SECURITY ACT (ERISA)	[ ] 871 IRS-THIRD PARTY	[ ] 891 AGRICULTURAL ACTS	
[ ] 240 TORTS TO LAND	[ ] 445 AMERICANS WITH DISABILITIES - EMPLOYMENT	[ ] 530 HABEAS CORPUS	FEDERAL TAX SUITS		[ ] 893 ENVIRONMENTAL MATTERS	
[ ] 245 TORT PRODUCT LIABILITY	[ ] 446 AMERICANS WITH DISABILITIES - OTHER	[ ] 535 DEATH PENALTY	[ ] 870 TAXES (U.S. Plaintiff or Defendant)	[ ] 895 FREEDOM OF INFORMATION ACT		
[ ] 290 ALL OTHER REAL PROPERTY	[ ] 448 EDUCATION	[ ] 540 MANDAMUS & OTHER	[ ] 871 IRS-THIRD PARTY	[ ] 896 ARBITRATION		
			[ ] 870 TAXES (U.S. Plaintiff or Defendant)	[ ] 899 ADMINISTRATIVE PROCEDURE ACT/REVIEW OR APPEAL OF AGENCY DECISION		
			[ ] 871 IRS-THIRD PARTY	[ ] 950 CONSTITUTIONALITY OF STATE STATUTES		

Check if demanded in complaint:

CHECK IF THIS IS A CLASS ACTION  
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.  
AS DEFINED BY LOCAL RULE FOR DIVISION OF BUSINESS 13?

IF SO, STATE:

DEMAND \$ \_\_\_\_\_ OTHER \_\_\_\_\_ JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

Check YES only if demanded in complaint

JURY DEMAND:  YES  NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN X IN ONE BOX ONLY)

- |   |  |  |   |  |   |   |
|---|--|--|---|--|---|---|
| <input type="checkbox"/> 1 Original Proceeding                    | <input checked="" type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened         | <input type="checkbox"/> 5 Transferred from (Specify District) | <input type="checkbox"/> 6 Multidistrict Litigation (Transferred) | <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge |
| <input checked="" type="checkbox"/> a. all parties represented    |  |  | <input type="checkbox"/> b. At least one party is pro se. |  |   |   |
| <input type="checkbox"/> 8 Multidistrict Litigation (Direct File) |  |  |   |  |   |   |

(PLACE AN X IN ONE BOX ONLY)

- 1 U.S. PLAINTIFF     2 U.S. DEFENDANT     3 FEDERAL QUESTION     4 DIVERSITY  
(U.S. NOT A PARTY)

**IF DIVERSITY, INDICATE CITIZENSHIP BELOW.****CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)**

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE	PTF [x] 1	DEF [ ] 1	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	PTF DEF [ ] 3 [ ] 3	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	PTF [ ] 5	DEF [x] 5
CITIZEN OF ANOTHER STATE	[ ] 2	[ ] 2	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ] 4 [ ] 4	FOREIGN NATION	[ ] 6	[ ] 6

**PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)**

Unknown

**DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)**

225 W. Washington Street  
Suite 1800  
Chicago, IL 60606-3484

**DEFENDANT(S) ADDRESS UNKNOWN**

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

**COURTHOUSE ASSIGNMENT**

I hereby certify that this case should be assigned to the courthouse indicated below pursuant to Local Rule for Division of Business 18, 20 or 21.

Check one: THIS ACTION SHOULD BE ASSIGNED TO:     WHITE PLAINS     MANHATTAN

Michael Hynes  
DATE 4/20/21  
SIGNATURE OF ATTORNEY OF RECORD  
RECEIPT #

ADMITTED TO PRACTICE IN THIS DISTRICT  
 NO  
 YES (DATE ADMITTED Mo. 05 Yr. 2001)  
Attorney Bar Code # MH 5086 / NY3034394

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

Ruby J. Krajick, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_.

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)